

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday February 12, 2018**

**CASE NUMBER: C15-2017-0068**

Y  Brooke Bailey  
 Y  William Burkhardt  
 -  Christopher Covo (OUT)  
 Y  Eric Goff  
 Y  Melissa Hawthorne  
 N  Bryan King  
 Y  Don Leighton-Burwell  
 Y  Rahm McDaniel  
 Y  Veronica Rivera  
 Y  James Valadez  
 Y  Michael Von Ohlen  
 Y  Kelly Blume (Alternate)  
 -  Martha Gonzalez (Alternate)  
 -  Pim Mayo (Alternate)

**APPLICANT: Jessica, Braun**

**OWNER: Garden Villas Roots, LP**

**ADDRESS: 1116 3RD ST**

**VARIANCE REQUESTED:** The applicant has requested variance(s) to:

A. Section 25-2-774 (A) (*Two-Family Residential Use*) to decrease the minimum lot area from that equivalent to a standard lot, or in this case 5,750 square feet (required) to 3,450 square feet (requested); and to

B. Section 25-2-774 (C) (5) (*Two-Family Residential Use*) to increase floor-to-area ratio of .15 to 1 (required) to .20 to 1 (requested); and to

C. Section 25-2-1406 (5) (d) (*Ordinance Requirements*) to allow a lot that is aggregated with other property to form a site to be disaggregated

in order to allow a new single family home and additional dwelling unit (ADU) on each lot in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez)


**BOARD'S DECISION:** Jan 8, 2018 The public hearing was closed on Board Member Veronica Rivera motion to Postpone to February 12, 2018, Board Member Eric Goff second on a 11-0 vote; **POSTPONED TO FEBRUARY 12, 2018.** Feb 12, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant A and C only and to Deny B, Board Member Melissa Hawthorne second


on a 10-1 vote (Board member Bryan King nay); GRANT A AND C ONLY AND TO DENY B.

EXPIRATION DATE: February 12, 2019

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: These lots were legally platted and seeking a reinstatement of the original plat.
2. (a) The hardship for which the variance is requested is unique to the property in that: these lots were legally platted early in Austin's history, had the house not been built over the property line, or had it been removed before 2007 or had a building permit application before March 2016, lots could have been developed with the entitlements the original plat provided.  
(b) The hardship is not general to the area in which the property is located because: there are very few of these narrow lots that are not already absorbed by the TOD plan
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: the variance requested will adhere to area character, not disrupt it, the character of the area is mixed residential, industrial, commercial and civic with buildings ranging from cottage to warehouse, this property is situated between a high density residential and commercial development (under construction) and single family homes, this variance will allow the property to match its immediate neighbors while mediating a drastic jump in density.

  
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Leane Heldenfels  
Executive Liaison

  
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William Burkhardt  
Chairman